

INTRODUCTION

The 1998 General Assembly passed, and the Governor signed into law, Senate Bill 633 calling for the licensing and regulation of private home detention monitoring agencies. This was codified in the Business Occupations and Professions Article, Title 20, Annotated Code of Maryland. This law required all existing companies to register with the Maryland Department of Public Safety and Correctional Services by August 1, 1998 and to be licensed by July 1, 1999. The Secretary of Public Safety and Correctional Services directed the Maryland Commission on Correctional Standards (MCCS) to develop licensing procedures and standards for private home detention monitoring agencies.

On August 8, 1998, the Commission Chairperson convened the first in a series of meetings with Commission staff and owners of private home detention companies. Subsequent meetings were convened on September 21, 1998, November 5, 1998, January 28, 1999, and March 8, 1999 with company officials, experts in the field and MCCS Advisory Boards. This collaborative effort resulted in the Commission approving the standards at its meeting on March 25, 1999. The Secretary accepted the regulations with modifications and, with the approval of the Administrative, Executive and Legislative Review Committee, adopted them effective June 29, 1999 as emergency COMAR regulations. A copy of these regulations was mailed to each licensee on August 4, 1999. These regulations continued to guide the operation of private home detention in the state until the proposed regulations could be promulgated.

The proposed, or final, regulations were published May 5, 2000 in the *Maryland Register*, adopted on July 13, 2000 and became effective August 7, 2000. These regulations were essentially the same as those adopted under emergency status, except for the incorporation of changes made in the law by the 1999 General Assembly governing escape from home detention. A copy of these regulations was mailed to each licensee on September 11, 2000. The regulations are cited at COMAR 12.11.10.

The MCCS staff continues to provide technical assistance when needed. This manual is another tool to be used by each private home detention monitoring agency as it develops policies and procedures. After a company develops the required policy and procedures, MCCS staff will review them to determine compliance. Those policies that do not comport with the standards will be identified, and the company will be provided a compliance plan. This plan will state the deficiency noted and the corrective action required. Meetings between MCCS staff and licensees continue in order to address issues of mutual concern.